

REMARKS

The Office Action mailed October 3, 2007 has been received and reviewed. By the present Response and Amendment, Claims 9, 10 and 25 are cancelled, and Claims 1-3, 11, 12, 16, 17, 23 and 24 are amended. No new matter is introduced.

Claims 1-11, 16 and 17 are rejected under 35 USC §112, second paragraph, with the language “to present the appearance of a rattan material” being objected to. This language has been deleted from Claim 1. Accordingly, this rejection has been addressed and overcome.

Claims 12 - 14, 23 and 24 are rejected under 35 USC §102 in view of Schichtl. Claims 12, 15, and 23 - 25 are rejected under 35 USC §102 in view of Ho. Claims 12, 13, 15 and 23 - 25 are rejected under 35 USC §102 in view of Watling. Claims 1 - 11, 16 and 17 are rejected under 35 USC §103 in view of Watling and Davis. Applicant traverses these rejections and requests reconsideration in view of the amendments presented herein and the following remarks.

As presently amended, Claim 1 recites “... a pair of rails extending above the interior face of the front panel, each rail having a first end adjacent the bottom edge of the front panel and a second end adjacent a top edge of the front panel.” Claim 12 is amended to recite “...at least two rails extending above and along the interior face of the openable panel, each of said rails being aligned in a direction extending outwardly from the interior portion when the openable panel is in its open position....” Amended Claim 23 recites “... at least two raised rails ... each of said raised rails extending from a first end proximal the bottom edge of the pivotally opening panel to a second end proximal the top edge of the pivotally opening panel.” These amendments are supported by the specification and drawings as originally filed, including Paragraphs 24 – 26 and Figure 3.

The art of record does not disclose or suggest these claimed features. For example, the Examiner has applied the “cross strips” 12 of the Schichtl reference to the Applicant’s

claimed “rails”. Schichtl’s cross strips, however, form the end panel itself and are therefore not raised above the interior face of the panel. Also, Schichtl’s cross strips extend crosswise, rather than outwardly from the enclosure. Similarly, the screen elements of the open mesh walls 4 disclosed by the Ho reference form the walls themselves, and are not raised above the interior face of the panel. Moreover, Ho’s open mesh walls 4 are not hingedly or pivotally openable (rather, Ho’s door 41 is openable within the fixed front wall 4). The Watling reference discloses frame members 29 and 42, an opening 30, and a door protrusion 44, which the Examiner has applied to the Applicant’s claimed “rails”. These elements, however, form the end panel itself or the door in the end panel, and are not raised above the interior face of a pivotally or hingedly openable panel. Additionally, while Watling does state that “the ends of the cage could be pivotally connected to the base frame” (p.7), there is no disclosure or suggestion that such pivotal connection would provide for opening the ends of the cage (instead, this statement likely relates to an unspecified alternate way of folding up the cage as shown in Figure 3 of the Watling reference).

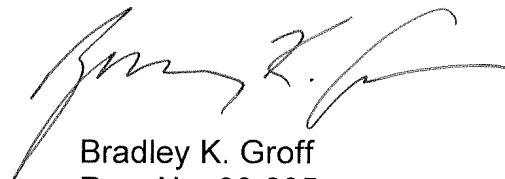
As presently amended, Claim 24 recites “connector feet” for attaching panels to one another at their corners, and a “removable catch tray having notched corners for receiving and engaging said connector feet when the enclosure is placed over the catch pan to prevent the catch pan from moving out from beneath the enclosure.” These amendments are supported by the specification and drawings as originally filed, including Paragraphs 20 and 23, and Figures 1, 2 and 4a-e.

The hinges 3, 5, 6, 10 of the Schichtl reference, which the Examiner has applied to the Applicant’s “connector feet”, cannot properly be considered to be received and engaged in notched corners of any element of that reference. The nuts 33A, 33B of the Ho reference engage bolt portion of its posts 3, rather than engaging corners of panels as claimed. Additionally, the base 2 of the Ho reference is not a “removable catch tray”, but instead is a permanent structural part of the assembly when constructed. Likewise, the

tray 51 of the Watling reference does not have notched corners, and does not receive and engage any connector feet. Nor is any enclosure placed over the tray of the Watling reference to prevent it from moving out from beneath the enclosure.

In view of the amendments submitted herein and the above comments, it is believed that all grounds of rejection are overcome and that the application has now been placed in full condition for allowance. Accordingly, Applicant earnestly solicits early and favorable action. Should there be any further questions or reservations, the Examiner is urged to telephone Applicant's undersigned attorney at (770) 984-2300.

Respectfully submitted,



Bradley K. Groff
Reg. No. 39,695

Customer No. 23506
GARDNER GROFF GREENWALD & VILLANUEVA, PC
Tel: (770) 984-2300
Fax: (770) 984-0098